REMARKS

Claims 1-46 are pending and have been all rejected in this case. By this amendment, Applicant is amending claims 1, 13, 27, 43, and 45. In view of the foregoing amendments and the following remarks, Applicant respectfully requests that the Examiner reconsider the Application.

Rejections under 35 U.S.C. § 103 (a)

In the Office Action, the Examiner rejected claims 1-46 under 35 U.S.C. § 103 (a) as unpatentable over U.S. patent No. 5,887,139 to *Madison et al.* in view of U.S. patent No. 5,812,529 to *Czarnik*.

Applicant is amending claim 1 to claim a method for manufacturing a network device. The amended claim 1 recites a downloadable unit ... "for later transmission over a network to a remote client to enable the remote client to remotely configure the network device." Moreover, claim 1 further recites that the downloadable unit includes a communicator component, an interface component, and a configuration component.

Indeed, the problem addressed by the present invention is the prior difficulty of managing and configuring a network device from a remote client where the remote client does not have the supporting software necessary to manage and configure the network device. One embodiment of Applicant's solution to this problem provides a downloadable unit embedded in a binary file

for transmission over the network to the remote client to enable the remote client to remotely manage and configure the network device.

As claimed in claim 1, the downloadable unit comprises a communicator component for establishing a communications channel between the remote client and the software program, an interface component for enabling a user to communicate with the downloadable unit, and a configuration component for managing and configuring the remote device or the software program. Applicant respectfully submits that neither the *Madison* nor the *Czarnik* reference teach or suggest such a downloadable unit. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 1.

Because claims 2-12, as amended, depend either directly or indirectly from amended claim 1, these claims are allowable for at least the reasons discussed above with respect to claim 1. Withdrawal of these rejections is, therefore, respectfully requested.

Applicant is also amending independent claim 13 to include additional limitations regarding the composition and function of the downloadable unit. These limitations are similar to those added to independent claim 1 discussed above and is therefore allowable for the reasons discussed above in connection with claim 1. Moreover, because dependent claims 14-26 depend either directly or indirectly from amended claim 13, these claims are allowable for at least the reasons as claim 13 is allowable.

With respect to claim 27, Applicant respectfully submits that Applicant has amended this claim to recite similar features as claim 1, and therefore patentably distinguishes over the *Madison* and the *Czarnik* references for the reasons discussed above in connection with claim 1. Moreover, because dependent claims 28-39, as amended, depend either directly or indirectly from amended claim 27, these claims are allowable for at least the reasons as claim 27 is allowable.

Examiner has rejected claim 40 as being obvious over the *Madison* and the *Czarnik* references. *Madison's* cited passage that "[a]fter receiving the resource information web browser 30 then requests the code for a user interface application 32, and web server 44 accesses the code stored on its local disk and sends it to web browser 30," does not teach or make obvious that resource application 46 is embedded in the binary of interface application, or as claimed, "a downloadable unit . . . is embedded in the binary file." Because a downloadable unit is not embedded in a binary file, the combination relying on *Madison* cannot make obvious "extracting the downloadable unit from the binary file."

Further, neither *Madison* nor *Czarnik* teach or suggest locating a downloadable unit, *which corresponds to a request to manage software.* Rather, the *Madison* method transmits an HTML file to the client in response to a request to manage or configure a network device. The *Czarnik* reference transmits certain data to "sentries" in response to a request to manage or configure a network

device. Hence, neither of these references, or their combination, renders obvious the invention of claim 40. Withdrawal of this rejection is, therefore, respectfully requested.

Claims 41 and 42 contain elements and limitations similar to claim 40 and, therefore, Applicant respectfully submits that these claims patentably distinguish over the art of record for the reasons discussed above in connection with claim 40.

Applicant is amending claim 43 to recite additional limitations of the downloadable unit to further define claim 43 over the art of record. These limitations are also included in amended claim 1 as discussed above. Consequently, Applicant respectfully submits that claim 43 is allowable for similar reasons as claim 1, discussed above.

Claim 44 is being amended to recite additional limitations concerning the new downloadable unit. These limitations are similar to those added above in claim 1 and, therefore, claim 44 is allowable for reasons similar to those for claim 1. Withdrawal of this rejection is respectfully requested.

Claims 45 and 46 depend from claim 13 either directly or indirectly and, therefore are allowable for at least the reasons claim 13 is allowable.

SUMMARY

In conclusion, Applicant respectfully submits that pending claims 1-46

present subject matter that is patentable over the prior art of record and therefore

requests that the Examiner withdraw the rejections of the pending claims and

pass the application to issue. If the Examiner has questions regarding this case,

the Examiner is invited to contact Applicant's undersigned attorney.

Respectfully submitted,

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